

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TAMMY TOLMAN

vs.

**CAVALRY PORTFOLIO
SERVICES, LLC**

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Civil Action No. 4:09-cv-02128

NOTICE OF DISMISSAL

Comes Now TAMMY TOLMAN ("Plaintiff") and files this her Notice of Dismissal under Federal Rule of Civil Procedure 41 as follows:

1) On or about July 6, 2009, Plaintiff sued Defendant for alleged violations of the Federal Debt Collection Practices Act, the Texas Debt Collection Act and the Texas Business and Commerce Code.

2) Plaintiff moves to dismiss this suit and all related causes of action arising out of the facts of this case.

3) Defendant has not answered as of yet but, by written agreement herein, agrees to the dismissal.

4) This case is not a class action and no receiver has been appointed.

5) This action is not governed by any statute of the United States that required an order of the court for dismissal of this case.

6) Plaintiff has not dismissed an action based on, or including, the same claims as those presented in this suit against Cavalry Portfolio Services, LLC.

7) This dismissal is with prejudice.

Respectfully submitted,

WEISBERG & MEYERS, LLC

By: /s/ Susan Landgraf
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**ATTORNEY FOR PLAINTIFF
TAMMY TOLMAN**

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By: /s/ Amy L. Mitchell
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**ATTORNEYS FOR DEFENDANT
CAVALRY PORTFOLIO SERVICES, LLC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been forwarded to all counsel of record via facsimile, and/or by certified mail, return receipt requested on this the 3rd day of November, 2009, as follows:

Amy L. Mitchell
HANSZEN ■ LAPORTE, LLP
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Houston, TX 77057
Attorney for Defendant Cavalry Portfolio Services, LLC

Via facsimile: (713) 524-2580

/s/ Susan Landgraf
Susan Landgraf